

BAKER & HOSTETLER LLP

45 Rockefeller Plaza
New York, NY 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Nicholas J. Cremona

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

**STATUS REPORT FOR THE AVOIDANCE ACTION
OMNIBUS HEARING SCHEDULED FOR SEPTEMBER 28, 2016**

On November 10, 2010, this Court entered the order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Order”) [Dkt. No. 3141].

Pursuant to the Order, Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor

Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, is required to file a report prior to each Avoidance Action Omnibus Hearing (as defined in the Order) setting forth the status of each of the avoidance actions that are subject to the Order and the procedures therein, and are scheduled to be heard at such hearing. Order Ex. A, ¶ 6D.

As of the date of this Notice, the avoidance actions as set forth on the attached Appendix A are scheduled to be heard at the Avoidance Action Omnibus Hearing scheduled for **September 28, 2016 at 10:00 a.m.**

The next Avoidance Action Omnibus Hearing is scheduled for **October 26, 2016 at 10:00 a.m.** The Trustee will file a report of the status of each of the avoidance actions scheduled to be heard at such hearing as required by the Order.

Dated: September 21, 2016
New York, New York

By: /s/ Nicholas J. Cremona
BAKER & HOSTETLER LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Nicholas J. Cremona
Email: ncremona@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff*

APPENDIX A

1. **10-04560; Picard v. Richard E. Feldman**
10-04349; Picard v. Pauline B. Feldman
 - A. Rule 7007 Discovery Conference: Letter Requesting a Conference with the Court Filed by David J. Sheehan on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff (Filed: 07/05/2016)
2. **10-04538; Picard v. James B. Pinto Revocable Trust U/A dtd 12/1/03, et al.**
10-04588; Picard v. Amy Pinto Lome Revocable Trust U/A/D 5/22/03, et al
 - A. Letter Regarding Discovery Issues Filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff (Filed: 6/6/2016)
 - B. Declaration of Robert M. McClay in Reply to Trustees Letter to Judge Bernstein dated June 6, 2016 regarding discovery dispute filed by Robert M McClay (Filed: 6/9/2016) [
 - C. Letter to Judge Bernstein Providing Update on Discovery Issues Filed by David J. Sheehan on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff (Filed: 7/15/2016)
 - D. Letter to Judge Bernstein (providing update on discovery issues) Filed by Edward John Jacobs on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff (Filed: 9/16/2016)
3. **10-04541; Picard v. Perlman et al.**
10-04914; Picard v. Gordon
10-04818; Picard v. Harwood
10-04826; Picard v. Estate of Palmer
10-04644; Picard v. Dusek
10-04728; Picard v. DiGuilian
 - A. Letter to Judge Bernstein requesting pre-motion conference Filed by Helen Davis Chaitman (Filed: 9/14/2016)
 - B. Declaration in Support of request for pre-motion conference Filed by Helen Davis Chaitman (Filed: 9/14/2016)
 - C. Letter to Judge Bernstein regarding Chaitman Depositions Filed by Edward John Jacobs on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff (Filed: 9/19/2016)

4. **10-04621; Picard v. Benjamin
10-04728; Picard v. DiGuilian
10-04905; Picard v. Train Klan, et al.**

- A. Letter /Trustee's Letter Regarding Discovery Disputes Filed by Edward John Jacobs on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC (Filed: 9/19/2016)

5. **10-05296; Picard v. 1998 William Gershen Revocable Trust, et al.**

- A. Pretrial Conference – Status Conference

6. **10-04717; Picard v. Estate of William Diamond
10-04884; Picard v. Steven Andelman
10-04916; Picard v. Susan Andelman
10-05094; Picard v. Carolyn Miller, et al.**

- A. Letter to Judge Bernstein Regarding Discovery Disputes Filed by Edward John Jacobs on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff (Filed: 9/14/2016)

7. **10-04995; Picard v. Trust U/Art Fourth O/W/O Israel Wilenitz, et al.**

- A. Motion to Compel filed by Helen Davis Chaitman on behalf of Sara Seims, as trustee of the Trust u/art Fourth o/w/o Israel Wilenitz, Trust u/art Fourth o/w/o Israel Wilenitz, Evelyn Berezin Wilenitz, individually, and as trustee and beneficiary of the Trust u/art Fourth o/w/o Israel Wilenitz. (Filed: 8/29/2016) [ECF No. 68]
- B. Memorandum of Law *in Support of Motion to Compel Discovery, for an Order Finding Plenary Waiver of Privilege and for an Order Barring the Trustee from Using at Trial any Evidence Not Produced During Fact Discovery* filed by Helen Davis Chaitman on behalf of Sara Seims, as trustee of the Trust u/art Fourth o/w/o Israel Wilenitz, Trust u/art Fourth o/w/o Israel Wilenitz, Evelyn Berezin Wilenitz, individually, and as trustee and beneficiary of the Trust u/art Fourth o/w/o Israel Wilenitz (Filed: 8/29/2016) [ECF No. 69]
- C. Declaration filed by Helen Davis Chaitman on behalf of Sara Seims, as trustee of the Trust u/art Fourth o/w/o Israel Wilenitz, Trust u/art Fourth o/w/o Israel Wilenitz, Evelyn Berezin Wilenitz, individually, and as trustee and beneficiary of the Trust u/art Fourth o/w/o Israel Wilenitz (Filed: 8/29/2016) [ECF No. 70]
- D. Letter to Hon. Stuart M. Bernstein Regarding Chaitman LLP Motion to Compel Filed by Edward John Jacobs on behalf of Irving H. Picard trustee for the liquidation of Bernard L. Madoff Investment Securities LLC (Filed: 8/31/2016)

8. **10-04809; Picard v. Gordon**
10-04914; Picard v. Edyne Gordon

- A. Motion to Compel filed by Helen Davis Chaitman (Filed: 8/29/2016)
- B. Memorandum of Law in Support of Motion to Compel Discovery, for an Order Finding Plenary Waiver of Privilege and for an Order Barring the Trustee from Using at Trial any Evidence Not Produced During Fact Discovery filed by Helen Davis Chaitman (Filed: 8/29/2016)
- C. Declaration filed by Helen Davis Chaitman (Filed: 8/29/2016)
- D. Letter to Hon. Stuart M. Bernstein Regarding Chaitman LLP Motion to Compel Filed by Edward John Jacobs on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Filed: 8/31/2016)
- E. Letter to Judge Bernstein requesting pre-motion conference Filed by Helen Davis Chaitman (Filed: 9/14/2016)
- F. Declaration in Support of request for pre-motion conference filed by Helen Davis Chaitman (Filed: 9/14/2016)